

**BOARD OF REGISTERED NURSING**

P.O. BOX 944210, SACRAMENTO, CA 94244-2100
TDD (916) 322-1700
TELEPHONE (916) 322-3350
www.rn.ca.gov

Ruth Ann Terry, MPH, RN
Executive Officer



SUPERVISOR'S RESPONSIBILITY

The following legal opinions are in response to questions raised by the Board of Registered Nursing:

"Disciplinary Action Against Nursing Instructors"

"You have asked if a registered nurse employed as an instructor in an accredited school is subject to possible disciplinary action by the Board who, forced by her employer, takes back a previously failed student into the clinical phase of the curriculum, knowing that the student poses a threat to the health and safety of the patients she cares for due to her proven inability to perform nursing services.

CONCLUSION:

Such a registered nurse may be subject to possible disciplinary action for unprofessional conduct or for gross negligence."

Department of Consumer Affairs
Legal Opinion
No. 13-49
October 1975

"Supervision of Untrained Persons or Licensed Vocational Nurses"

May the Board of Registered Nursing discipline registered nurses working in a supervisory capacity for authorizing untrained persons or licensed vocational nurses to perform tasks which such supervising registered nurses knew or should have known they lacked the competency to safely perform?

CONCLUSION:

The Board of Registered Nursing may discipline registered nurses working in a supervisory capacity for authorizing untrained persons or licensed vocational nurses to perform tasks which such supervising nurses knew or should have known they lacked the competency to safely perform.

Department of Justice
Attorney General's Opinion
No. CV 76-45
October 1976